



# **AGENDA**

## **ORDINARY MEETING OF THE NELSON CITY COUNCIL**

**Thursday 21 August 2008**

**Commencing at 9.00am**

**Council Chamber**

**Floor 2A, Civic House**

**Trafalgar Street**

**Nelson**

Council Membership:

His Worship the Mayor K Marshall (Chairperson)

Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A McAlpine,  
A Miccio, P Rainey, R Reese (Deputy Mayor), D Shaw and G Thomas

# B U S I N E S S

As set out below

Ordinary Meeting of the Council  
21 August 2008

686684

Refer to  
Page No.

## APOLOGIES

### 1.0 OPENING PRAYER

### 2.0 COMMUNITY ASSISTANCE CONTRACT FUNDING 2008/09 – HEARING OF NELSON HOUSING TRUST APPLICATION

Agenda item 10.0 refers. Ms Carrie Mozena has been invited to present this application on behalf of Nelson Housing Trust.

### 3.0 CONFIRMATION OF MINUTES

Recommendation

10 July 2008

1-10

*THAT the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 10 July 2008, be confirmed as a true and correct record.*

22 July 2008

11-18

*THAT the minutes of the ordinary meeting of the Nelson City Council to consider Applications for Community Funding held on Tuesday 22 July 2008, be confirmed as a true and correct record.*

### 4.0 COUNCIL STATUS REPORT – AUGUST 2008

19-22

Recommendation

*THAT the report be received.*

### 5.0 MAYORS REPORT

#### 5.1 Report of the recent Local Government Conference in Rotorua.

#### 5.2 Civic House Update: One Stop Shop and Walk Around

#### 5.3 Cities Appeal in Support of the Hiroshima – Nagasaki Protocol

23-26

### 6.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES

#### 6.1 Applications – 30 April and 18 June 2008

27-37

#### 6.2 Community Services – 7 July 2008

38-45

#### 6.3 Infrastructure – 24 July 2008

46-52

#### 6.4 Environment – 31 July 2008

53-56

#### 6.5 Governance – 7 August 2008

57-68

## 6.6 Review of Depreciation and Borrowing Policies

### Recommendation

*THAT Council's borrowing policy be amended so that for all projects involving borrowings of under ten million dollars (\$10,000,000), the loans be repaid over a period not exceeding fifty years;*

*AND THAT for all projects involving borrowings of over ten million dollars, (\$10,000,000), the annual payments of interest, depreciation and principal repayments be smoothed by way of a table mortgage type repayment schedule repayable over a period not exceeding fifty years with each years payment increasing by the inflation rate.*

## 6.7 Proposed Bylaw – Burial and Cremation

*THAT Bylaw 216 "Burial and Cremation" be adopted subject to the following amendments, and any other changes which the Committee might decide following the hearing of the submitters:*

- 1) *THAT a new clause 17 be inserted to read:*

### *Change of Conditions*

*The Council may from time to time after consultation with the Nelson Funeral Directors or Monumental Masons, as the case might require, add to or amend any forms to be used or any condition to be complied with pursuant to this bylaw.*

- 2) *THAT Clause 5 be amended to read:*
  - (i) *No cremation shall take place in any crematorium provided by the Council unless the provisions of the applicable regulations have been complied with and the requisite fees have been paid.*
  - (ii) *All necessary applications, certificates and approvals shall be made or obtained or deposited with the Council, as the case might require, prior to the cremation taking place.*

- 3) *THAT Clause 8(i) be amended by adding a provision authorising the planting of bulbs or similar plants on graves in historic cemeteries.*

- 4) *THAT Clause 8(ii) be amended as follows:*

*No person shall plant anything on any plot or grave in other than a natural burial cemetery, however during a period of two (2) weeks following interment, or such longer time as may be agreed with the family of the deceased, a wreath or wreathes or other tributes may be placed on the grave, but shall be removed at the expiration of the agreed period.*

- 5) *THAT Clause 8(iv) be amended to read:*

*The Sexton may at any time remove damaged receptacles or dead flowers or foliage or inappropriate tributes, and at the expiration of any period agreed with the family in accordance with Clause 8(ii) may remove any excess tributes.*

**AND THAT the standards relating to headstones and other memorials and the Conditions of Interment and Conditions of Cremation be amended as follows:**

- 1) **A new Clause 5 be added to the “Standards for the Erection of Memorials, Headstones or other Structures” to read:**

**5.0 GENERAL REQUIREMENTS**

***Subject to Clause 12(ii) of the Burial and Cremation Bylaws:***

***Any headstone, plaque, or other memorial placed on any grave may contain such wording as the family of the deceased might wish to have inscribed.***

***However it is suggested that for future research purposes the inscription include the following information:***

- (a) The full registered name (and aliases) of the deceased***
- (b) The full dates of birth and death of the deceased (in dd/mm/yy format)***
- (c) Place of birth***
- (d) Place of death***
- (e) Name of spouse/partner***

- 2) **Add a second note to the Conditions of Purchase of the Exclusive Right of Burial, to read:**

***The purchaser of the exclusive right of burial will be provided with a copy of these conditions and a plan showing the location of the plot purchased.***

- 3) **Clause (ii), (iii) and (iv) of the Conditions of Interment be amended to read as follows:**

- (ii) Notification of the proposed burial shall be given to the Sexton as far as possible in advance of the time fixed for the funeral to ensure the plot is able to be prepared by the required time. The Council shall endeavour to accommodate all requests however it reserves the right to decline the request or impose additional charges as a result of late notification.***
- (iii) Funerals shall generally be held between the hours of 9.00am and 4.00pm Monday to Friday or 9.00am to 1.00pm on Saturday however funerals outside of these hours, but within daylight hours, will as far as possible be accommodated subject to availability of necessary resources and the payment of any further fee set by the Council resulting from additional costs incurred.***
- (iv) No person other than the Sexton or the Sexton’s assistant or any other person meeting the necessary health and safety standards and directly supervised by the Sexton or other suitably qualified person approved by the Sexton shall dig any grave, or open the ground for the burial of any body or ashes in any part of any cemetery.***

4) *Clause (v) of the Conditions of Interment be amended by replacing “500mm” with “1000mm”.*

5) *Clause (i) of the Conditions of Cremation be amended by changing the second sentence to read:*

*“A cremation may take place on any Sunday or Public Holiday where the contractor and the family agree to any special arrangement, and any additional fees are paid.”*

6) *The Conditions of Cremation be amended as follows:*

*The last 3 paragraphs of Clause (iii) be deleted and the following clauses inserted:*

*The casket shall not contain any non-combustible material, or material that may endanger the cremation process i.e. bullets, cigarette lighters etc.*

(iv) *Any person properly concerned with the cremation of the deceased may, with permission of the operator see the casket placed in the incinerating hall. Such permission shall not be unreasonably withheld, which may be requested under religious or cultural grounds.*

(v) *No casket shall be opened after admission to the crematorium.*

(vi) *Should there be cause to reopen a casket it shall be first removed to any such place that is registered with the Council for that purpose e.g. Mortuary, unless the Operator is satisfied that the deceased has been embalmed.*

*Should the casket need to be opened to satisfy Section 10 of the Cremation Regulations (which requires the Operator to be satisfied as to the identity of the occupant of the casket), it shall be removed to such registered place as in above, as directed by the Council unless the Operator is satisfied that the deceased has been embalmed.*

7) *Size of Monuments*

(i) *The height of 700mm in Clause 1(v) of the Standards for the Erection of Memorials, Headstones or Other Structures be replaced with 1200mm.*

(ii) *The size of the plaque permitted in the Bellbird Ashes Lawn shown as C(ii) in the diagrams being part of the Standards for the Erection of Memorials, Headstones or Other Structures be amended to 800mm x 600mm and the size of the area to carry the inscriptions be correspondingly increased to 660mm x 400mm.*

Note: A copy of the amended final version of the Bylaw 216 is attached.

69-87

## 7.0 KOTA HITANGA HUI

88-93

Recommendation

*THAT the minutes of the Kotahitanga Hui meeting held on 20 May 2008 be received.*

**8.0 ELECTORAL SYSTEM 0 TRIENNIAL ELECTION 2010 94-111**

Document No 679691, dated 11 July 2008.

**9.0 LAND TRANSPORT MANAGEMENT 112-129**

Document No 684965, dated 5 August 2008.

**10.0 OPERATIVE PLAN CHANGE 06/04 130-131**

Document No 680541, dated 4 August 2008.

**11.0 COMMUNITY ASSISTANCE FUNDING APPLICATIONS 132-147**

Document No 686340, dated 11 August 2008.

**12.0 SOLAR FEASIBILITY STUDY**

Note: A report will be circulated prior to the meeting.

**13.0 PUBLIC EXCLUDED BUSINESS**

**13.1 Exclusion of the Public**

Recommendation

***THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of this part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.***

**(i) *Minutes of part of the ordinary meeting of the Nelson City Council, Public Excluded Business – 10 July 2008***

*Reasons:*

*To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied the information; or*

*To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or*

*To protect the privacy of natural persons.*

**(ii) *Council Public Excluded Status Report – August 2008***

*Reasons:*

*To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or*

*To protect the privacy of natural persons.*

**(iii) *Minutes of the Community Services Committee, Public Excluded Business – 17 July 2008***

*Reasons:*

*To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or*

*To protect the privacy of natural persons.*

(iv) *Minutes of the Corporate Governance Committee Public Excluded Business – 7 August 2008*

*Reasons:*

*To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or*

(v) *Council Owned Land in Totara Street*

*Reason:*

*To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage.*

**13.2 Re-admittance of the Public**

Recommendation

**THAT the public be readmitted to the meeting.**

# PUBLIC EXCLUDED BUSINESS

As set out below

Ordinary Meeting of the Council  
21 August 2008

686684

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## 1.0 CONFIRMATION OF MINUTES 1-5

Recommendation

10 July 2008

***THAT** the minutes of part of the ordinary meeting of the Nelson City Council held with the public excluded, on Thursday 10 July 2008, be confirmed as a true and correct record.*

## 2.0 COUNCIL – PUBLIC EXCLUDED STATUS REPORT – AUGUST 2008 6-9

Recommendation

***THAT** the report be received.*

## 3.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES

### 3.1 Hearings Panel – 23 July 2008 10-12

### 3.2 Community Services – 17 July 2008 13-15

### 3.3 Marina Land in Akersten Street

Recommendation

***THAT** the portion of the Council resolution of August 2007 relating to the sale of Lot 24 (as shown in Attachment 1 to Report No 677958) to the DSNS Syndicate (formerly known as the Doyle Sailmakers Syndicate) be revoked and at this stage the land remain in Council ownership;*

***AND THAT** once a decision is made about the potential sale of Lot 24 (as shown in Attachment 1 to Report No 677958) the information relating to the sale of the lots and the long term vision for the area (including the realignment of Akersten Street, redevelopment of Marina Parade and the Council's possible development plans for Lot 1) be released from public excluded.*

### 3.4 Corporate Governance – 7 August 2008 16

## 4.0 COUNCIL OWNED LAND IN TOTARA STREET 17-21

Document No 673597, dated 4 July 2008.